

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

BILLY GOSTEVSKYH,
Plaintiff,

No. 6:15-cv-02336-TC
ORDER

v.

JASON MYERS and MARION COUNTY,
a government entity,
Defendants.

AIKEN, District Judge:

Magistrate Judge Thomas Coffin has filed his Findings and Recommendations ("F&R") (doc. 78) recommending that this Court deny defendants' Motion for Summary Judgment (doc. 49). This case is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

When either party objects to any portion of a magistrate judge's F&R, the district court must make a *de novo* determination of that portion of the magistrate

judge's report. *See* 28 U.S.C. § 636(b)(1); *McDonnell Douglas Corp. v. Commodore Business Machines, Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981), *cert denied*, 455 U.S. 920 (1982). Defendants have filed timely objections (doc. 83) to the F&R and plaintiff has filed a timely response to those objections. (doc. 89) Thus, this Court reviews the F&R *de novo*.

Having reviewed the objections, briefing on the motion for summary judgment, as well as the entire file of this case, the Court finds no error in Judge Coffin's F&R. Thus, the Court adopts the F&R (doc. 78) in its entirety. Defendants' motion for summary judgment (doc. 49) is DENIED.

IT IS SO ORDERED.

Dated this 30th day of September 2019.

Ann Aiken
United States District Judge